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PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

MICRO-1 CPA (REF/29713/NI)

First named inventor: Bo Niklasson

Application No.: 09/147,801

NOV 18 2005

Art Unit: 1648

Filed: March 11, 1999

Examiner: Mary Mosher

Title:

NEW PICORNAVIRUSES, VACCINES AND DIAGNOSTIC KITS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

11/22/2005 SSITHIB1 00000093 061075 09147801
01 FC:2453 750.00 DA

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
 Other than small entity – fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

(identify type of
the form of Amendment and Reply Accompanying Request for Continued Examination reply):

has been filed previously on.
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

as been paid previously on _____.
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$____ for a small entity or \$____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Connie Wong

Signature

November 18, 2005

Date

Connie Wong

Typed or printed name

L0104

Registration Number, if applicable

Customer No. 1473

212-596-9000

Telephone Number

Enclosures: Fee Payment

- Amendment and Reply Accompanying Request for Continued Examination
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay

Request for Continued Examination under 37 C.F.R. 1.114 and required fee under
Other: 37 C.F.R. 1.17(e); Petition For Extension of Time under 37 C.F.R. 1.136(a) and
required fee under 37 C.F.R. 1.17(a)(3)



Rev. 10/04
For A Small Entity

Express Mail Label
No. EV619622326US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. MICRO-1 CPA (REF/29713/NI)

Examiner Mary Mosher
Art Unit 1648

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION
PURSUANT TO 37 C.F.R. § 1.137(b) AND
REQUEST FOR CONTINUED EXAMINATION

Sir:

This is a Petition to Revive Unintentionally Abandoned Application Pursuant to 37 C.F.R. § 1.137(b) and a Request for Continued Examination under 37 C.F.R. § 1.114, of pending prior Application No. 09/147,801 (Confirmation No. 2230), filed on March 11, 1999 of Bo Niklasson for

NEW PICORNAVIRUSES, VACCINES AND DIAGNOSTIC KITS

1. Petition to Revive Unintentionally Abandoned Application Pursuant to 37 C.F.R. § 1.137(b) is enclosed.
2. Please charge \$750.00 to Deposit Account No. 06-1075, Order No. 003786-0002 in payment of the fee under 37 C.F.R. § 1.17(m). A duplicate copy of this Request is enclosed.
3. Please enter the Amendment Pursuant to 37 C.F.R. § 1.116 filed on _____ in Application No. _____.
4. Please consider the arguments in the Appeal Brief or Reply Brief filed on _____ in Application No. _____.
5. A Reply and Amendment Accompanying Request for Continued Examination is enclosed.
6. Please charge \$395.00 to Deposit Account No. 06-1075, Order No. 003786-0002 in payment of the fee under 37 C.F.R. § 1.17(e). A duplicate copy of this Request is enclosed.
7. A check in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(e) is enclosed.
8. An Information Disclosure Statement is enclosed.
9. A suspension of action on the above-identified patent application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.

10. Please grant a one-month, two-month, three-month, four-month, extension of time under 37 C.F.R. § 1.136(a) to respond to the Examiner's Actions of February 11, 2005 in the above-identified patent application.

11. Please charge the extension-of-time fee of \$ 510.00 to Deposit Account No. 06 1075, Order No. 003786-0002. A duplicate copy of this Request is enclosed.

12. A check in the amount of \$ _____ in payment of the extension-of-time fee is enclosed.

13. The Director is hereby authorized to charge payment of any additional fees due, or to credit any overpayment of same, in connection with this filing to Deposit Account No. 06-1075, Order No. 003786-0002. A duplicate copy of this Request is enclosed.

November 18, 2005
(Date)

Connie Wong

Jane T. Gunnison (Reg. No. 38,479)
Connie Wong (Reg. No. L0104)
 Attorneys or agent of record
 Filed under § 1.34(a)

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